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Selectmen's Minutes 03-08-2010

**TOWN OF ARLINGTON
BOARD OF SELECTMEN**

Meeting Minutes
 Monday, March 8, 2010
 7:15 p.m.

Present: Mr. Greeley, Chair, Mrs. Mahon, Vice Chair, Mr. Hurd, Ms. LaCourt and Ms. Rowe
 Also present: Mr. Sullivan, Ms. Rice and Mrs. Krepellka

Proclamation: Declare March Brain Awareness Month

Sharon Slusher

Mr. Greeley read Proclamation and Ms. Slusher stated that Pilot International is a distinguished group of caring individuals whose primary goals are friendship and service. Their Commitment to the community enables Pilots to change the world for the better. Pilots reach out to other leaders in the community who are interested in Pilot's service and fellowship. With each new member, the circle of giving is broadened once again. Pilot International's service focus is brain-related disorders and disabilities.

FOR APPROVAL

1. CONSENT AGENDA (one vote required for approval of all items)
 - a. Reappointment: Historical Commission
 Jane Becker
 (term to expire 1/31/2013)
 Mrs. Mahon moved approval. SO VOTED (5-0)
 - b. Reappointment: Open Space Committee
 Lisa Decker
 (term to expire 1/31/2013)
 Ms. LaCourt moved approval SO VOTED (5-0)
 - c. Request: One Day Beer & Malt License, 3/31/10, Medical Reserve Corps Volunteer Recognition Reception @ Robbins Memorial Town Hall
 Christine Connolly, Director, Health and Human Services
 Mr. Greeley moved approval. SO VOTED (5-0)
 - d. Request: One Day All Alcohol License, 5/15/10, @ Fidelity House
 Frank Tessitore
 Mr. Hurd moved approval. SO VOTED (5-0)
 - e. Request: One Day Beer & Malt License, 5/15/10, St. Camillus Anniversary Function @ St. Camillus Hall
Matthew J. Ferraro, Chairman
 Ms. LaCourt moved approval. SO VOTED (5-0)
2. Discussion: Cable Advisory Committee and Public Memorials Committee Vacancies
 Kevin Greeley, Chair

Mrs. Mahon and Ms. Rowe accepted appointment to be on the SubCommittee for the Public Memorials Committee.

Ms. LaCourt and Mr. Hurd agreed to be on the SubCommittee for the Cable Advisory Committee.

Ms. Rowe and Mrs. Mahon agreed to be on the SubCommittee for the Scenic Byway Committee.

Mr. Greeley moved approval.

SO VOTED (5-0)

LICENSES & PERMITS

7:30 p.m. Public Hearing

3. Request: Common Victualler and Wine & Malt Licenses

Jun Le, Inc. d/b/a Little Q Pot and Szechuan House, 196 Massachusetts Avenue

The Board approved application on the condition that the hours of operation coordinated with town practices. Mrs.

Mahon questioned hours of operation. Mrs. Krepelka said she would look at the ABCC regulations before license is given out.

Mr. Hurd moved approval.

SO VOTED (5-0)

4. Discussion: H1N1 Flu Vaccination Results

Christine Connolly, Director, Health and Human Services

Lucille Nicholson

Ms. Connolly and Lucille Nicholson appeared before the Board with a final report on H1N1, seasonal and pneumonia vaccinations. The Board of Health held 16 clinics from

October 2009 to February 2010 where more than 7,100 people were vaccinated, which represents a 343 percent increase over 2008/2009 flu vaccinations. Four thousand nine hundred thirty (4930) people received the H1N1 vaccine and two thousand one hundred ninety two (2192) people received the seasonal flu or pneumonia vaccine.

Mrs. Nicholson stated that 47 percent of students were vaccinated. Ms. Connolly added that these numbers only include vaccinations given through the Town and does not include vaccinations received by doctors or through other clinics. Ms. Connolly stated that more than 200 volunteers helped with the town's vaccination process. The Board of Selectmen thanked the Board of Health and all volunteers for a wonderful job.

Mrs. Mahon moved receipt of report.

SO VOTED (5-0)

5. Presentation: Fire Based Paramedic EMS

Robert Jefferson, Fire Chief

The Board was presented a power point presentation by Chief Jefferson.

Chief Jefferson stated that fire service EMS is the most efficient and effective model for the rapid delivery of all emergency medical services. When time is critical and effective pre-hospital care is necessary, the fire service is well positioned strategically, geographically, administratively, financially, and operationally. The benefit to the community is as follows:

By providing Advanced Life Support (ALS) from within the

Fire Department we are able to provide the best possible service to
the community.

Closely monitored quality assurance of patient care.

Personnel who are committed to the community.

Earlier ALS assessment and intervention.

Increase of revenues coming back to the Town.

The Board supported the Chief's proposal. The Fire Chief will work with the Town Manager to implement.

Ms. LaCourt moved receipt of report.

SO VOTED (5-0)

6. UC Synergetic Petition/Broadway

Mark Vagnani, Project Manager

(all abutters notified)

The Board approved a petition by UC Synergetic to install a fiber conduit on Broadway near Alewife Parkway.

Mrs. Mahon moved approval subject to all conditions as set forth by Town Engineer

Michael Rademacher.

SO VOTED (5-0)

APPOINTMENTS7. **Appointment: Arlington Cultural Council Appointment**

Scott Samenfeld

Mrs. Mahon moved approval.

SO VOTED (5-0)

8. **CITIZENS OPEN FORUM**

Any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established.

There were no matters presented for consideration of the Board.

TRAFFIC RULES & ORDERS/OTHER BUSINESS9. **Discussion: Recommendation No Left Turn From Stratton Circle**

Mr. Hurd moved approval.

SO VOTED (5-0)

Discussion: Recommendation All Way Stop at Oakland and Renfrew

Transportation Advisory Committee

At this time, the Traffic and Parking Unit does not recommend the installation of such a sign.

Mr. Hurd moved approval not to install a 4-way stop.

SO VOTED (5-0)

10. **Discussion: Fox Library**

John W. Hurd, Selectman

Mr. Hurd moved to table until 4/12/10

SO VOTED (5-0)

11. **WARRANT ARTICLE HEARINGS**

Article 19 Bylaw Amendment/Removal of Paint

Christine Connolly, Director of Health and Human Services, requested that the Board of Health oversee regulations on paint removal stating that the Board of Health Dept. would be able to address issues and changes in technology on abrasive paint blasting more quickly than Town Meeting.

Mr. Hurd moved approval.

SO VOTED (5-0)

Article 24 Home Rule Legislation/Tax Check-Off Program: Donation to the COA Transportation Fund

Christine Connolly, Director of Health and Human Services, stated that the transportation fund for the Council on Aging is an enterprise fund that needs to be self-sustaining. The Council on Aging would like this article to include a check off on tax forms to make a donation directly to the fund similar to Dollars for Scholars. The Board tabled the article so they could have comments from the Town Treasurer.

Mr. Hurd moved to table until 3/22/10.

SO VOTED (4-1)

Ms. LaCourt voted in the negative.

Article 25 Home Rule Legislation/Banning Texting While Driving

The State Legislature is looking at similar legislation, therefore, the Selectmen voted no action.

Mrs. Mahon moved no action.

SO VOTED (5-0)

Article 33 Acceptance of Legislation/Consolidation of Town and School Administrative Functions

Ms. LaCourt moved approval.

SO VOTED (5-0)

Article 34 Vote/Consolidation of Town and School Administrative Functions

Town Meeting would need to vote and approve Article 33 and accept the legislation consolidation. Town Council Rice stated if the Board recommends favorable action under Article 34 as well as Article 33, it should also state what administrative functions it is recommending for consolidation.

Ms. LaCourt moved to report at Town Meeting. SO VOTED (4-0)
Mrs. Mahon abstained.

Article 35 Bylaw Amendment/Municipal Conflict-of-Interest Standards

Thomas Davison, 22 Churchill Avenue, stated that this article would broaden the conflict of interest standard in the Town so the residents sitting on a town board, commission or committee would not be able to represent a client coming in front of the Town boards and commissions. He stated that there is a loophole in state ethics law that could be closed for transparency.

Mary Winstanley O'Connor, Assessor for the Town, stated that a bylaw like Mr. Davison is proposing would decrease the amount of town volunteers.

John Leone, Town Moderator, stated he agreed with Ms. O'Connor and said he speaks for others in the Town as well. He stated that if he was forced to choose between his town volunteerism and his career, he would have to give up his volunteering.

Ms. Rowe moved no action. SO VOTED (5-0)

Article 39 Bylaw Amendment/Town Meeting Warrant Articles

Mr. John Leonard stated that last year's Town Meeting approved an increase in the meals and hotel tax. As a Town Meeting member he was unaware that the vote was frozen for three years. Mr. Leonard's article would compel the Selectmen to notify Town Meeting when a similar situation is present.

Ms. Rowe suggested to Mr. Leonard that rather than a bylaw amendment, the Selectmen agree to a policy to include this kind of information in its Selectmen's report. Also, the Selectmen will have staff implement policy change.

Ms. Rowe moved no action. SO VOTED (5-0).

Article 40 Bylaw Amendment/Field Lights Timing

The following neighbors appeared before the Board regarding this article:

David Cerrato, 5 Kings Court, asked the Board for help on behalf of the abutters of Buck Field. He stated the bright lights, overwhelming sound, traffic and late nights have created a frustrating situation. He said the sound is awful and keeps the neighbors up at night. He is unable to sit on his deck due to the bright lights and loud noise. He and his neighbors can't enjoy sitting outside.

Jeanne Leary, 425 Summer Street, called this situation a public health issue and the look and feel of the neighborhood have been altered because of this. She asked the Board to please do something so the neighbors could have some relief.

Stella Kazantzas, 421 Summer Street, stated that something has to be done about the noise. The trees acted as a barrier and must be put back.

Josephine Burton, 409 Summer Street, stated that she moved into her residence in 1983 and since then the lights and noise have increased and feels something must be done to alleviate this problem. The trees acted as a barrier and Buck Field is like having flood lights on. She asked if maybe they could have shields put on said lights

Ms. Rowe suggested that the Town may want to look at a park policy as a whole and Mr.

Hurd stated the biggest question in front of them was what is reasonable for the Town.

The Board of Selectmen voted to take no action on these articles, but directed Recreation and Parks Director Joseph Donnelly to create a policy that provides a reasonable compromise on all points including noise, lights, sound amplifications, number of games and when playing time should end. They also asked the Little League President Paul Carroll, members Richard Greco, and Bill Riley to meet with the neighbors, Mr. Connelly and field user groups to see if they could work out a reasonable solution.

After the discussion Mr. Cerrato stated that taxpayers in town are suffering from this nuisance and the Board has not addressed the issues.

Ms. LaCourt moved no action. SO VOTED (5-0)

Article 41 Bylaw Amendment/Sound Amplification Systems
Ms. LaCourt moved no action.

SO VOTED (5-0)

Article 42 Bylaw Amendment/Field Closing Times
Ms. LaCourt moved no action.

SO VOTED (5-0)

Article 43 Bylaw Amendment/Field Light Configuration
Ms. LaCourt moved no action.

SO VOTED (5-0)

Article 44 Bylaw Amendment/Limit Night Baseball Games
Ms. LaCourt moved no action.

SO VOTED (5-0)

12. FINAL VOTES AND COMMENTS

Article 2

Article 4

Article 5

Article 12

Article 21

Article 22

Article 23

Article 25

Article 26

Ms. LaCourt moved approval.

SO VOTED (5-0)

13. Discussion: Letter to Legislature Concerning Local Aid

Brian Sullivan, Town Manager

The Board voted unanimously to send a letter to our State Legislatures that they strongly oppose any attempt to cut the local aid amount for Arlington as proposed by the Governor.

Ms. Rowe moved approval.

SO VOTED (5-0)

Correspondence Received

Sandra K. Knight National Flood Insurance Program Be Rec'd
FEMA

Phil Fousek Arlington Heights Business District Concerns Be Rec'd
Via e-mail

Arlington Catholic HS Request Street Name Change: Be Rec'd
Student Senate Park Terrace to Grace Street

Stephen Biagioli, Principal In Support of Name Change Proposal: Be Rec'd
Arlington Catholic HS Park Terrace to Grace Street

Mr. Greeley will speak with Arlington Catholic regarding request and Ms. Rowe stated Richard Duffy will give a history of Park Terrace.

Corinne M. Rainville Notification to Rescind Intent to Retire Be Rec'd
Town Clerk

Mr. Hurd thanked the Board for their fairness in handling the appointment of Interim Town Clerk and stated he was very pleased

that Ms. Rainville is staying and wished her well in finishing her term.

Ms. Mahon asked the Town Manager if the IT Director could talk with the Town Clerk regarding the upgrades to her office. Ms. LaCourt stated that the IT Committee at their meetings discuss different technology, hardware and various software systems. She suggested that the Town Clerk or a designee from her office is welcome to attend the monthly meetings to assist in addressing these issues.

Mr. Hurd stated he supports updating the Clerk's office.

Department of Community APD Special Contributions Be Rec'd

Safety Recognition Invitation

Chief Ryan

Mr. Greeley moved to adjourn at 11:10 p.m.

SO VOTED (5-0)

Executive Session

Next meeting of BoS Monday, March 22, 2010.